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April 11, 2023

Hon. Philip M. Halpern
United States District Court
300 Quarropas Street
White Plains, New York 10601

Re: Gioia v Project Veritas 22-cv-06710
Cheeks Application

Dear Judge Halpern:

When we appeared before you last week with counsel for Defendants Project Veritas, O’Keefe and O’Hara, we advised the Court that a settlement agreement had been reached with the Defendant Engage, which had not yet appeared. You asked for a Cheeks application be made by April 14, 2023.

The parties who appeared before you last week have reached a settlement in terms of dollars, and the agreement remains to be finally resolved. A review of the Engage settlement(which involves a small amount of money) is only properly reviewed together with the settlement with Project Veritas and its principals (which involves a far greater sum of money).

We write to request that you reset a Cheeks application for all parties to a date later in the month (perhaps the date that Project Veritas’ Motion to Dismiss brief is due – April 26).

Thank you for your consideration.

Respectfully submitted,

/s/ *Arthur Z. Schwartz*
Arthur Z. Schwartz

cc. Justin Kelton, Esq. (by ECF)
Michael Miller, Esq (by email)
Theresa D’Andrea, Esq. (by email)